A STUPENDOUS SCHEME

A Ring Formed to Gobble a Whole Country.

ANNEXING NORTHERN MEXICO.

Gen. Grant, Tom Scott, and Ben Butler in the Plot.

WASHINGTON, May 25 .- Important movements are on foot in this country and Europe looking to the establishment of a magnificent empire in the north and west of Mexico. A number of the greatest capitalists in the world have for some time been negotiating with the Mexican authorities either for the absolute cession of the States of Chihuahua, Sonora, and Lower California, or for the granting of extraordinary privileges. The active spirits in this great enterprise are, of course, Americans, and the central genius of the combination is Col. Thomas A. Scott, the railroad king of the world. It will doubtless be remembered that several years since a company of politicians and capitallats obtained very extraordinary privileges from the Mexican Government in Lower California, and that considerable exertions were made to Induce emigration to that country. Some of the principal men engaged in that scheme were Gen.

B. F. Butler, S. L. M. Barlow, Col. Thos. A. Scott, Col. John W. Forney, and a number of others equally prominent. The enterprise was quite elaborately written up in certain of the New York papers, and for a time it prom-

A colony was, I believe, established at Magda-len Bay under the leadership of Drake DeKay. but the troublous state of affairs in Mexico and the uncertain attitude of our Government at that time caused the company to suspend opera-tions. This at least was the general way in which the active managers of the enterprise then accounted for the temporary failure of their effort at colonization. There are other reasons, however, given by persons who ought to be acquainted with the country proposed to be settled as well as with Dekay's effort at planting a colony. They say that although there are some valleys to be found on that peninsula which are well watered and of exuberant fertility, still the chinate is extremely variable; that in winter there are heavy rains and terrific tornadoes of wind which sweep the soil from every exposed position into the sea, and force the cultivators to seek new locations. These, with such difficulties as new colonists always meet, rendered the abandonment of the enterprise absolutely necessary. their effort at colonization. There are other

A BIG TRING.

However this may have been it is certain that a much grander enterprise is about to be undertaken by a combination of capitalists and politicians which includes many of the Lower California Company, as well as a great many more in the United States and England. The capitalists interested in the Texas Parille, or as it is commonly known here, the Southern Pacific Italiroad are ostensibly the nucleus of this great undertaking. For many years all plans of a line of railroad to the Southern Pacific coast have always been coupled with some such scheme to colonize a portion of the Mexican territors. Old Duff Green, the originator of the new famous Credit Mobilier, or as it was then known, the Pennsylvania Fiscal Agency, proposed to build a railroad from some point on the Texas coast to the southern coast of Mexico. He alleged that he had obtained wonderful concessions from the Mexican Government through the friendly offices of Lerdo De Tejada, the then Minister of that Republic at Washington. He also alleged that an arrangement had been made with the European holders of Mexican bonds whereby they were to furnish the means to build the road, they in turn to be see ured for their former as well as later investments by enormous grants of territory. But the late war burst Green's bubble. At a later date both Generals Framont and Rossernan had splendid schemes of this kind on foot—or rather on paper—but A BIG THING.

I am satisfied that this latest venture in this direction is the first one that has had even a remote chance of success. I know, in the first place, that there have long been friendly relations existing between Gen. Grant and certain men of great influence in Mexico. He was an intimate friend of Señor Romero, the late Mexican Minister to this country. This inthmacy began as far back as 1865, when the Mexicans were making desperate efforts to obtain assistance from the Government as well as from the people of the United States. It continued until Romero returned to Mexico, and I have excellent reasons for believing that it yet continues, for the willy Mexican pursues the proper course to retain the confidence and esteem of a character like Gen. Grant. That Romero had great influence with Grant when he was General of all our armies and Secretary of War ad interim, I have the most convincing proof. He was very anxious at that time to obtain not only assistance from the people of the United States, but the friendly recognition and influence of Generals like Grant and Shorman, and politicians like Morton and Sward. The Mexican Government had dispatched to this country a Gen. Carvaja with authority to issue, and had negotiated bonds of the Mexican Government had dispatched to this country a Gen. Carvaja with authority to issue, and had negotiated bonds of the Mexican Government, and with the proceeds purchase arms, enlist men, and employed as a special agent one Gen. Sturm, who was then hanger on of Senator Morton, and also of the budding military coterie. Arrangements were in course of time made for budding military coterie. Arrangements were in course of time made for

THE PURCHASE OF ARMS
from the United States Government, and it was
necessary also to make provision for their quiet
shipment as the French agents were at that time
keeping a sharp look out at New York and other
principal ports. This was done, and everything
was lovely until the time arrived to pay Sturm
and others for their extraordinary services. The
Mexican Treasury was bankrapt and Juarez was
not meinted to be grateful. The result was a
claim by Sturm against the ungrateful Republic,
and that claim is now before the Joint Mexican
and American Commission for adjudication. It

dum of an interview with Mr. Romers and Grant on the 9th of July, 1866, at the city of On the same page I find the following letter from Secretary McCulloch, which shows that a Secretary McCulloch, which shows that at was prompt to keep his engagement with

TREASURY DEPARTMENT,)
WASHINGTON, July 19, 1866.
Your letter of this date is received, requesting assion to ship from New York to Brownsville, in transition for a foreign market; certain ordered therewith. Enclosed therewith.
In reply, you are respectfully informed that the matter has been duly considered, and, in accordance with the determination arrived at on the subject, you are hereby permitted to ship the said articles as requested by you, of which permission the Collector at New York has been duly notified. I am, very respectfully, (Signed)

H. Storm, Esq., care W. H. Gilson, Esq., 61 Courtment of the collector of the Colle

What Romero do not form the Mexican he presented his magnificent service of plate to Mrs. President Grant. Nor was this the case, but the Company by taking in new parties, have been in the President form and interviews have lately taken place between the representative of Reference the President hands of the military ring. And now under the President his magnificent service of presented to the President himself, and thankfully accepted. These friendly little souvenirs have not stopped coming from the same source. Visits are not unfrequently made by some member of the Romero tribe to Washington. When were in this business, and the few who are prought from Mexico and find their way to the White House.

It is certain also that several private and confidential interviews have lately taken place between the representative of Romero and his friends of the military ring. And now under the Presidency of Lerdo de Tejada M. Romero has become a power in Mexico, and it is more than possible that the Lower California Company by taking in new parties, have been alto only is this the case, but the Government for the finited States takes quite a deep interest in the enterprise, and that even

The SECRET SEAVICE FUND.

Which this serious question is viewed by the Administration.

The PRESIDENT WANTS MORE TERRITORY.

I learn that the President, prior to the receipt for the subject of annexation, and self the news of McKenzie's raid, expressed himself freely on the subject of annexation, and self freely on the subject of annexation, and self freely on the subject of annexation, and court territory south; that while he would not advocate this policy he would give it all the encouragement be could. The impression prevails here that there is a big job concealed some-value that the residence of the subject of the invasion in a diplomatic way, but the object is apparent.

Administration.

The resident president prior to the receipt free he was in favor of extending our territory south; that while he would not advocate this policy he w

House party how to make use of their old-time friend Romero.

The plan of the manipulators of this scheme is first to erect the three Mexican States into an independent nation whenever they can pay a certain stipulated sum to the Mexican Government. This, it is said, the Mexican authorities have agreed to. The second move will be to annex the independent State to the United States, whereby the company will secure a stable Government for the territory, and, what is of more importance to them, the guarantee of all the titles to the rich mines, valuable lands, and extraordinary privileges which they have given themselves.

IMMENSE PROFITS IN VIEW.

Some idea of the magnitude of this scheme

given themselves.

IMMENSE PROFITS IN VIEW.

Some idea of the magnitude of this scheme will be obtained from the following brief statement of the extent and resources of these three great Mexican States. Chihuahhaa contains nearly 13,000 square leagues and a population of 147,000 square leagues and a population of from 4,500 to 5,000 feet above the level of the sea. The eastern portion of the State consists of high table lands, having an elevation of from 4,500 to 5,000 feet above the level of the sea. That near the Rio Grande is barren and sterile, but the remainder is in broad, level plains, slightly undulating, with but little shrubbery, and covered with luxuriant herbage, which renders it admirably adapted for grazing. And here, before the troublous peilod in Mexico, it was not unusual for proprietors to have from 40,000 to 50,000 head of cattle on a single ranch. Detached ridges and isolated mountains appear here and there on the plateau, which add greatly to the beauty of the landscape. Approaching the western portion the mountains become higher, with long square justiting out from the main ridge, separated by luxuriant and wooded valleys, until the great Sierra Madre is reached.

These mountains are well wooded with tall pines, oak, walnut, ash, cedar, &c. The southern portion of the State is well watered, but in the north there are but few streams, and the smaller ones become entirely dry during the long summer. However, it is quite easy to irrigate, and the soil being very tertile the yields are enormous. The valley of the Casas Grandes is broad, and nearly 250 miles long, and so fertile that all the cereals are cultivated with great success. The Conches, one of the largest tributaries of the Rio Grande, flows nearly 350 miles through Chihuahua, and on the west there are also on the high plateaus several large lakes. For eight months Iving. In the more elevated parts there is more cold and in the mountains more rain, but on the table land the rainy season lasts only during the months of July and August. All varieties of fruits flourish apples, pears, peaches, and all the tropical luxuries.

fruits flourish, apples, pears, peaches, and all the tropical luxuries.

THE MINING INTERESTS.

But the most important of all the resources of Chibuahua are her wonderful mines. Iron, lead, copper, mercury, arsenic, bismuth, cobalt, sulphur, and salt abound on every side, and are in almost every instance extremely rich. Coal, too, is said to exist seven leagues west of Movis. But it is in the precious metals that this State is so justly celebrated. Its rich silver mines, which have been worked for 200 years, are among the most productive in America. Before the Indian devastations, which have been going on for thirty years, more than eighty mines were in full work. Most of those in the western part of the State have now been abandoned in consequence of the encroachments of the Apaches. The Sierra Madre for 500 miles, and from 80 to 90 miles in breadth is rich in precious metals. It is said that one mine alone—the Santa Eulaha—yielded from 1717 to 1789, \$62,700,000. Its wealth is considered inexhaustiole, as its yields now, with very inferior appliances, are very considerable. Nearly all the mines with improved machinery will undoubtedly yield vast sums for many years to

THE STATE OF SONORA. THE STATE OF SONORA.

Sonora has an area of 86,855 square miles and a population of R.1.13 souls. It has every variety of chimate. The mineral resources are very considerable, but the mines have ever been worked inefficiently. All kinds of grain are raised, and different fruits and vegetables succeed well. The coast is indented by several fine bays, that of Guavinis affording one of the finest harbors in the world. The Indians have been very troublesome for many years. LOWER CALIFORNIA

LOWER CALIFORNIA
is about 750 miles in length, and from 30 to 150
miles in breadth. It is of volcanic origin, and is
traversed throughout by the Sierra Nexada
range of mountains. At their base cactuses of
extraordinary size are found, and such of the
valleys as have a sufficiency of water are of exuberant fertility. The climate is variable, but
the heat in summer never exceeds 712. INTENTIONS OF THE SCHEMERS.

INTENTIONS OF THE SCHEMERS.

A magnificent empire could undoubtedly be built up in this territory by American gening and enterprise in the course of years. But the object of those who are said to be interested in the present scheme is to get ready cash out of the job as soon as possible. They believe that anything which looks to the ultimate annexation of this portion of Mexico to the United States will be likely to be popular with our name of wealth, but little beed will be paid to the grand goobling in which the company of jobbers propose to indulge.

Pacific Realroad, and a large army of colonists are to be brought over this fall and next spring.

THE RAID INTO MEXICO.

The raid of McKenzle into Mexico, ostensibly after the Kickanoos, was evidently planned long ago. Secretary Belknap and Gen. Sheridan have just returned from the Southern border, and had not the commanders of our troops there have received some intimation that a move of this kind would be winked at it is not probable that this raid would have occurred. It is regarded here, by those who are best posted, as a feeler toward annexation. A gentleman who had an interview with Secretary Belknap on Saturday, says he let fall several remarks which point strongly in this direction. There was no good reason why the Secretary of War, accompanied by Gen. Sheridan, should have made an extended trip to Texas and the Mexican border at this time. The significant language of Gen. Grant's inaugural on this subject of extension and annexation, coupled with Belknap's visit, and the inva ion of Mexican soil, inclines many people here, who are not posted on Tom Scott's scheme, to believe that the Administration favors annexation. The Mexican Minister Marescol is reticent and cautious, but it is evident that he looks with suspicion on the movements of our officials.

THE INSULT TO MEXICO.

THE INSULT TO MEXICO.

President Grant's Latest Annexation Scheme He Sighstor More Territory-The Admin-istration Organs Pushing him Through-Unearthing a Big Job.

and American Commission for adjudication. It is entitled "Herman Storm vs. The Republic of Mexico; Claim No. 679." From Storm's printed Case, page 24, I extract the following:

Washington, May 26.—Both of the morning or gans of the Administration in this city have articles to day justifying the invasion of have articles to-day justifying the invasion of Mexican soil by Col. McKenzie. The Republican bington.

Lington.

Lington.

Lington.

Lington.

Boldly declares its belief that Col. McKenzie would not have dared take so important a step and, who said he would get us an order from the peartment to clear the goodstrom New dawold use give me a letter to Gen. Sheridan it have no trouble in Texas.

Boldly declares its belief that Col. McKenzie would not have dared take so important a step as that of entering upon the borders of another nation without positive knowledge that his act would be sustained by his official superiors. It boldly declares its belief that Col. McKenzie would be sustained by his official superiors. It

This is quite significant, but the following is still more so:

This accords with the information I have obtained from reliable sources as to the manner in which this serious question is viewed by the Administration.

dential interviews have lately taken place between the representative of Romero and his friends of the military ring. And now under the Presidency of Lerdo de Tejada M. Romero has become a power in Mexico, and it is more than possible that the Lower California Company by taking in new parties, have been able to get more territory and still greater privileges from the Mexican Government. It is said that the Mexican authorities are responsible for the acts of the United States of the Science of the United States of Mexican soil to commit their depredations and retired thither the other than the case, but the Government of the United States of Mexican soil to commit their depredations and retired thither and the enterprise, and that even the second they started from Mexican soil to commit their depredations and retired thither and the enterprise, and that even the second they started from Mexican soil to commit their depredations and retired thither and the enterprise of the United States of Mexican soil to commit their depredations and retired thither and the enterprise of the United States of Mexican soil to commit their depredations and retired thither and the enterprise of the United States of Mexican soil to commit their depredations and retired thither and the representative of the Mexican and the representative of the Mexican and the representative of the Mexican and the representative of the Secretary of State and the representative of the Mexican deventative of the Mexican and the representative of the Mexican and the re

of international law, be an act of war on the part of Mexico. In either case he says Mexico must be regarded as the aggressor and the proper party to make the amende honorable.

HOW THE MEXICANS WILL LOOK AT IT.

HOW THE MEXICANS WILL LOOK AT IT.

This is certainly a novel view of the case, and quite refreshing reading with the thermometer at 85 in the shade. It will, however, strike the Mexicans as a queer kind of ethics that after having been grossly insulted by an invasion of their soil by an armed force in pursuit of a band of Indians who are as much denizens of the United States as they are of Mexico, they should be required to make an humble apploay to the aggressor. But people in this country have long since learned that the men who control our affairs hesitate at nothing when their personal or party interests are to be subserved. Neither do they find it difficult to secure writers to justify their actions, however illegal or outrageous they may be.

PILING ON THE PROOFS. As further proof of the existence of an annexation scheme I quote the following from the special despatch to the Chicago Evening Post: I have high authority for stating that McKenzie crossed into Mexico by order of the Secretary of War in accordance with the new policy of the Administration to submit no longer to the terrorism of the Mexico maranders, and while the President will take no steps toward acquisition no obstacles will be interposed to a unlou with the territory between the Rio Grande and the Sierre Nevada Mountains. The correspondent of the Post is a protegie of Ben Butler's, and is made use of whenever Ben-jamin wants to aid a friend, track a foe, or test the public pulse through the medium of a news-paper.

THE ROADSIDE MURDERERS.

A Double Murder in Indiana Supposed to have been Committed by the Bender Family-Following a Bloody Trail.

From the New Albany Ledger-Standard. The details of the terrible Bender mur-ders in Kansas come to us with fearful em-phasis, in view of our discovery of the fact that the inhuman murderers were probably for some time in the neighborhood of this city, and that circumstances in connection with the recent developments in Kansas strongly point them out as the authors of a mysterious double mur-der which happened in our midst some year and a half ago.

der which happened in our midst some year and a half ago.

Our readers will remember the circumstances attending the murder of a German and his wife by the name of Bandle, and the burning of the house over their bodies. The mystery has never been removed from that terrible tragedy, and up to this time no person has ever been accused, or even suspected of the commission of that crime. We believe that the bloody trail leads us to the Kansas flends. At the time of the Bandle tragedy there was resident near this city a family by the name of Bender.

The family consisted of two men and two women. The men were employed on the McCulloch farm, on Silver creek, at the time of the Bandle murder, and it will be remembered that this identical farm was the scene of that homicide. Soon after the occurrence of that shocking affair the Benders left and went to Kansas. It seems that on reaching Kansas they entered on a career of crime which is without parallel in the history of our times.

Taking up their residence near Cherryvale, Kansas, in an unfinished house standing on the roadside, and out of view of any other human habitation, they constructed, with devilish ingenuity, a regular trap for any traveller whom they could inveigle into their den. They placed the table from which their meals were taken near a curtain of cotton cloth, so that the victim would sit with his back against the curtain. A candle placed on the table would, of course, shadow the form of the person sitting against it on the cloth, and a blow with an axe or hammer given by a man on the opposite side of Me curtain would fell the sitter to the floor, and then the cutting of his throat could be easily accomplished. The number of their victims is as yet unknown. Eight bodies have already been disintered and recognized by their clothing, or by marks upon their persons.

The description of the Kansas murderers answers exactly to the Benders who lived here.

3. The identity of the names.

2. The density of the names.

3. The time of their departure from this po

Kansas.
6. The residence of the Benders on the farm on which Bandle and his wife were murdered, and the immediate departure from the scene.

The Benders fled from Kansas when they discovered the suspicion of the people there, but we predict that before they all swing from the scaffold some one of them will confess their complicity with the Bandle tragedy near this city.

A WILD HUNTRESS.

A Pennsylvania Girl Lost in the Wilderness-Her Love of Hunting Stronger than her Love of Home.

Her Love of Hunting Stronger than her Love of Home.

The Wheeling Register of the 20th inst. tells the following story on the authority of Julia Messenger of Windridge, Green county, Pa. for whose veracity it vanches:

A man living near Windridge, Green county, Pa., had born to him five children, four girls and one boy. His name is Daniel Lewis. When quite voung the boy and second daughter, named Lucinda Lewis, developed quite a fondness for hunting, and were out nearly all the time, roaming the woods in search of game. They seemed to delight in nothing so much as the fall life of a hunter, and would be gone from home for weeks at a time. After some four or five years the boy quit it, and entered on the more industrious parsuits of life, but the girl continued in the chase. Drawing herself more and more from human intercourse and restraint, she has become a wild woman, fleeing from the approach of her kind with the speed of a deer.

During the early years of her solitary life she used to approach her father's house and entice the dogs to follow her, learning almost any breed of dogs to become good hunters. In the hope of bringing her back to her home and to civilization, her brother followed her and shot the dog she had taken away, using every inducement to get her to go back with him. But tell in vain.

For eighteen years, since she was twelve years

the dog she had taken away, using every inducement to get her to go back with him. But all in vain.

For eighteen years, since she was twelve years of age, she has lived this wild life, sleeping in the centres of straw stacks during the night and hiding in them during the summer the wild and cultivated fruits she intends for her winter's store of provisions. She intends for her winter's store of provisions. She in most thirty years old, and is as wild as the most untamed denizen of the forest.

Mr. Messenger says he at one time, while out hunting, met her in the woods. Her long black hair, covering her face and eyes, was marted with burs and leaves, and her black flashing eyes made her a startling picture. She remained perfectly still until he got within twenty feet of her when she turned and fled with the swiftness no man could hope to rival.

A few days since she was seen again, and then had in her hand three pheasants and four rabbits, but although these encumbered her she eluded every attempt to capture her. She has been so long in the woods that she has become perfectly wild. Her dress is made of the skins of wild animals and a blanket that she has taken somewhere during some of her nocturnal predatory tours.

KELLOGG ON THE WAR PATH.

KELLOGG ON THE WAR PATH.

What the Louisiana Usurper Intends to do What the Louisiana Usurper Intends to do
in the Future.

From the New Ordeans Heraid, May 21.

A Herald reporter yesterday waited upon Mr. Kellogg and asked him what he intended to do in the future, when quoth the King:
"I am going to use force, sir, and show the people of this country what I can do. In the first place, I am going to organize, and am now organizing, a company of one hundred men, armed with Winchester rifes and splendidly equipped. These I will send into the Red river country as soon as possible, and kill the last d—d man that opposes my Government."

Reporter—But, Mr. Kellogg, how can you do that?

Mr. Kellogg—I will show them how I can do it, I have got an appropriation for \$100,000 to back me, and the very merchants who are on your side purchase my warrants for cash. You better believe they do, because they make money out of it.

Reporter—Well, Mr. Kellogg, if you have so

believe they do, because they make money out of it.

Reporter—Well, Mr. Keilogg, if you have so much money, why do you fix up jobs to obtain possession of it from the Treasurer?

Mr. Keilogg (excitedly)—I don't do it, I don't. And listen: Do you go and tell those friends of yours in Grant parish, and anywhere else, that oppose me, that I won't stand it; and if they continue their tax resisting and riots, I will make them leave the country. I know what sort of men there are in the Red river country, and in a few weeks will have boat armed, and with my men will march through the country, had every man I find with a shot gun and revolver, and clean them out. By G-d, I will—mark me!

and clean them out. By G-d, I will-mark me!

Reporter—But. Mr. Kellogg, don't you know that the gentlemen under Sheriff Nash were a legal posse, and were suppressing a riot; and, besides, there were only 125 men to 250 negroes, and did you suppose they would quietly submit while your men were engaged in the occupation of cutting throats?

Mr. Kellogg—By G-d, sir, they would run, the last one of them. They can't shoot at a decent white man—only at a negro.

Reporter—Mr. Kellogg, if you were ever in the Federal army and met any Louisiana troops in line of battle you know very well which, way they ran. Don't you suppose these same men are up there now?

Mr. Kellogg—Yes, but they would run. My men are all Northern soldiers, and they will shoot and kill the lest one of your Red river tax-resisting cut-throats. In two weeks you will see.

DEMAND FOR A NEW TRIAL.

NEW YORK, TUESDAY, MAY 27, 1873.

MR. EFMAN TREMAIN'S ARGUMENT FOR EDWARD S. STOKES.

Whole Case Tainted with Errors and Illegalities—A Jury Prejudging a Case Against a Prisoner—A Trial Vitiated by the Absence of the Judge. ALBANY, May 26,-The arguments for a

new trial for Edward S. Stokes were heard by the Court of Appeals to-day. Mr. Lyman Tre-main, who appeared for Stokes, closed his appeal as follows:

main, who appeared for Stokes, closed his appeal as follows:

Allow me to epitomize the errors which are disclosed by this record, and of which this prisoner justity complains. He was rotected by the mandate of the constitution from a protected by the mandate of the constitution from the incise an indictinent was found by against him, while unless an indictinent cound by a legislation of a hody of the constitution from the constitution of the constitution from the constitution of the constitution of the country is a special play. Council of a hody of the country was taken from lists not authorized by law, and all of whom were illegally summoned. He interposed a special plea, setting up these lilegalities, and the law declared that the issue joined upon that plea should be tried by a jury. Although a jury was summoned to try it, and although the presiding Judge announced that the prisoner had proved every fact set up in his plea, yet the Judge pronounced a verdict against him, and refused to allow the jury to be asked whether that was their verdict, or to go through with even the forms of the law.

At a subsequent term, the prisoner again interposed his objections to a trial upon the merits by another special plea, which was overruled and set saids without a demurrer or even a motion for that purpose.

Then came his trial upon a plea entered under the direction of the court. It trial proceeded in part, and objected was taken during the absence of the prisoner, an error which has been held fatal by this court. During a portion of this trial, the Judge himself was absent from the court. The jury acted in part, and objected was taken during the absence of the prisoner, an error which has been held fatal by this court. During a portion of this trial, the Judge himself was absent from the court. The jury acted in part upon evidence that was not submitted in open court, in the presence of the prisoner made the court, and their perusal of unwanination of pistols out of court, and their perusal of unwanination of pistol

perusal of newspapers. These were

IRREGULARITIES

which have been repeatedly held to afford sufficient ground for a new trial. The facts are clearly presented to the trial court, and although they were not denied, yet that court retused to afford any relief to the prison. The Constitution secured to the accused a fair and inpartial trial by Jury. Several of the Jurors in this case had shready prejudged the case, and although that fact clearly appeared upon the trial of challengers, yet such jurors were permitted to sit in the cause, and we such jurors were permitted to sit in the cause, and they have been the superary that three of the such jurors were permitted to sit in the cause, and they have been the superary that three of the had declared before the suppear that three of the had declared before the suppear that three of the had declared before the suppear that three of the had declared before the suppear that three or the had declared before the suppear that three or the had declared before the suppear that three or the had declared before the courts, errors and malpracices such as have been beren disclosed were brought to the strention of the Appellate Court, upon error, by assignment of error of facis; and the statutes of the State have made ample provision for a speedy trial of such matters in criminal cases. The primorer sought to avail himself of this remedy, but his assignments were set aside by the Supreme Court, under the erroneous declaration that the courts had already decided that such assignments had been abolished, when in truth such decisions only referred to general assignments of errors in fact had become obsolete, or were affected by the Revised Statutes. On the trial of the prisoner the learned Judge committed

of the most serious character against him, and the Supreme Court, while admitting one of these, yet sustains the conviction. The jury were instructed in the most positive terms that if the prisoner killed deceased the law declared such killing murder, and the burden was thrown upon the prisoner of proving his innocence. The error would have been no more prejudicial if he had charged them that if the prosecution proved that Fisk was dead, it was incumbent upon the prisoner to prove that he was innocent of his murder. This terrible error is sought to be cured by other portions of the charge, and yet it is nowhere waived or explained, nor is there one word found declaring that the burden of proving a premeditated design to kill, beyond proving that the prisoner killed, rested upon the prosecution. A strained attempt is made to bridge over this error by reference to authorities, and yet the fact is undeniable that no reported case can be found in the books where, in a criminal case, the court has refused upon a writ of error to reverse a judgment when the Judge has committed an error against the prisoner in his charge, and an exception was duly taken to such charge.

On the trial it became material for the prisoner to corroborate his own evidence, that the deceased had first assaulted him with a pistol. This court has held that ERRORS

is competent evidence, tending to show a perpetration of an assault in connection with other proof. But the Judge refused to admit evidence of ill-will and deadly threats on the part of the deceased toward the prisoner, which continued down to the very moment of the meeting between the parties.

The reason assigned for considering this an immate-terial matter by one of the learned Judges of the Supreme Court, for whom I entertain the most exalted esteem, is that the prisoner was not harmed by this exclusion, because he had already been allowed to prove threats communicated, his apprehension at the time classified esteem, is that the prisoner was not harmed by this exclusion, because he had already been allowed to prove threats communicated, his apprehension at the time reasoning assumes that corroborating dece of the prisoner's story is not material. The only proof of threats, which was admitted, came from the prisoner and from Miss Williams, the latter of whom was sought to be impeached, while the Judge himself instructs the jury that the prisoner's evidence must be received with "bestation, care, and suspicion." As to the evidence of character alluded to, the Judge also in his charge destroys the effect even of that proof, which had been given without objection, when he declared that it should only be considered so far as it proved Fisk to be a man of "personal violence."

On the trial, evidence tending to show the presence of apprehesion and nervous fears on the part of the prisoner concerning Fisk, offered in numerous aspects, was estirely excluded, although in a charge of murder every fact or circumstance lending to throw light upon the heart of the prisoner has been uniformly ad-EVIDENCE OF ILL-WILL

OTHER IMPROPRIETIES. The Judge admitted evidence that the prisoner had been indicted for another offence, although such proof as I no other boaring upon the case than to create preduce signals the character of the prisoner, who had not opened the door by giving any affirmative proof as the character. had no other bearing upon the case than to create prejudice against the character of the prisoner, who had not opened the door by giving any affirmative proof as to his character.

The Constitution protects the citizen from being obliged to give evidence against himself. Contrary to its spirit, the Judge admits evidence that when the accused was carried as a prisoner into the prescue of risk he remained should during a conversation between a police officer and Fisk relating to the shooting, and such evidence is used to prove that the explanation given by the prisoner under oath alone of the transaction by the prisoner under oath alone of the transaction by the prisoner under oath alone of the transaction by the prisoner under oath alone of the transaction by the prisoner under oath alone of the transaction by the prisoner under oath alone of the prisoner of the prisoner. Experiments proving the falsity of evidence introduced by the prosecution had been made, but the result thereof was excluded. Hearsay evidence and illegal proof tending to impeach a witness called by the defendent was admitted, and legal proof overthrowing the evidence of one of the people's witnesses was rejected.

Mr. Tremain insisted that the Judges had charged with partiality, and that no conviction in a capital case had ever been taken before the Court of Appeals so saturated with errors and illegalities as the case of Stokes. He continued:

We are assured that your judgment will be influenced solvy by the clear, cold light of precedent and the law. We are convinced that the voice of no self-constituted judicatories, organized in an editorial sanctury principles of law, nor vet the yell of cleaned and the law. We are convinced that the voice of no self-constituted judicatories, organized in an editorial sanctury principles of law, nor vet the yell of cleaned grown of the procedent that the prisoner shall discover plain errors embrased witing proper exceptions,

THE KILLING OF JACOB YOUNG.

on Trial for Murder.

James McDonald, a middle-aged man of respectable appearance, was yesterday arraigned in the Oyer and Terminer to plead to an indictment for murder in the first degree. James Sheehan, Michael Bulkley, and Thomas Burns, are included in the same indictment. The murder of which they are thus jointly accused is alleged to have been committed on the afternoon of March 17, in Schmitz's beer saloon, Seventy-fourth street, between First avenue and Avenue A, upon the person of Jacob Young, a baker. The testimony for the prosecution tends to show that while Young was making his rounds with his bread in a wagon, he entered Schmitz's saloon to get a glass of beer and discuss a horse trade that had just been proposed to him. In the saloon he found a noisy crowd of eight or ten persons. Four of them ordered drinks and started off without paying. The berkeeper started after the delinquents, and they turned upon him. In the free fight which ensued. Young, who was not participating, was stabled in the left side. On the 8th of April following he died from the wound. The prisoner (McDonald) is reported by bystanders to have stood on the sidewalk urging on the combatants, and hence his arraignment. The Coroner who held the inquest required him to give \$2,000 ball, and he did so. When called upon to answer an indictment for the highest crime known to the law he was astounded. He wanted to have his old bail stand, or the privilege of renewing it, and received the announcement of Judge Davis that murder was not a bailable offence with a very wry face. No time was fixed for the trial. nue A, upon the person of Jacob Young, a baker.

WASHINGTON, May 26.—The contested claims of the bidders for Indian contracts having been referred by Secretary Delano to Solicitor Smith of the Interior Department, the latter reports in favor of the outs, namely J. B. Church for the Montana contracts, and Harlan for the Kansas contracts, but Delano, seeking to escape responsibility, brings the matter before the President, and it will probably come up for discussion at the next Cabinet meeting. Mr. Delano will, of course, use his influence in favor of the Peace Ring, notwithstanding he professes to believe that Church and Harlan are entitled to the awards.

The Contest for the Diamond Cue-

DEAR SIR : I hereby accept Albert Garnier's hallenge, and enclose check for \$250 to cover his forfeit, the game to take place any time after the forth-coming tournament within sixty days specified by the rules. Yours respectfully, MAURICE DALY. SPINGLER HOUSE, MAY 20

TWO GOOD TROIS.

Benefit of the Trainers' and Drivers' Asso-ciation at Deerloot Park-Enforcing the New Rules.

The track at Deerfoot Park was in excellent condition yesterday. The attendance was good. The grand stand, the club house, and lawn were crowded with spectators, many of whom were ladies, whose presence made the scene a gay and attractive one. The trotting turf was well represented. Among the celebrities present were James D. McMann, of Flora Temple fame, whose first appearance upon the track for years, behind the favorite Fred, was an evidence that fair play and honest trotting would be strictly enforced by the association. Dan Mace, Treasurer of the association, appeared with his favorite Blue Jacket, "eager and anxious for the fray;" George N. Ferguson, President, whose efforts in organizing the society has met with decided success; William Lovell, Esq., owner of American Girl; Eph Simmons, Stephen Hays of Boston, the Hon. Chas. Spaulding of Brooklyn, Edward Sharts, Esq., of Copake; Charles A. Oakley, Jake Somerindike, the veteran turfite; Isaac Woodruff, Dun Walton, George Brown, Esq., Jno. W. Conley, owner of Spring Hill stud farm, Sim Hoagland, Coroner Keenan, and others.

The judges, Measrs, Alex, Patterson, Dan, Pfler and M. Roden, on taking the stand, announced that any violation of the rules by the drivers would be severely punished. As an evidence that they meant business they fined J. H. Phillips, the driver of Fanny Fern. \$10 for not coming to time at the sound of the bell.

The first race on the programme was Class No. I, for which there were six entries, viz.: D. McMann's chestnut 'gelding Fred, Dan, Mace's chestnut mare New Berlin Girl, S. Hays's bay gelding Black Prince, W. McMahon's brown gelding James K. Polk, J. H. Phillip's sorrel mare Fanny Fern.

Fred was the favorite against the field. To the an evidence that fair play and honest trotting

gelding James K. Polk, J. H. Phillip's sorrel mare Fanny Fern.
Fred was the favorite against the field. To the surprise of his backers he came in fourth on the first heat. James K. Polk won the race in three straight heats.
The second race, Class No. 2, was the feature of the day, the horses being selected very evenly according to their record. There were six entries, three of which came to the score, viz.: Dan. Mace's bay gelding Sensation, M. Roden's bay gelding Ed. White.
Sensation had the call two to one against the field, and sustained his backers by winning the race handsomely in three straight heats.

SUMMARY.

	SUMMARY.			
	DREEFOOT PARK TROTTING, Monday, May 26.	-1	Cla	88
	Geo. N. Ferguson's c. g. James K. Polk. Wm. McMahon's b. g. Coroner K. J. H. Philipe's s. m. Fanny Fern J. D. McMann's c. g. Fred. D. Macc's c. m. Berlin Girl S. S. Haya's b. g. Black Prince.	2845	124635	1 2 5 5 6 4
	TIME.			
	Quarter Half First heat		M :	
	Third heat	1	36	V.
	B. Mace's b. g. Sensation. M. Roden's b. g. Castle Boy J. H. t'hillips's b. g. Ed. White	3	2 3	1 2 3
ı	TIME,			
	Quarter, Half. First heat 39 1:19 Second heat 39 1:16 Third heat 40 1:17	- 1	M1 2:35 2:35	
-	THE PERILS OF CAR RIDING		2:36	*

A United States Official's Spree-A Conductor Knocked Off the Platform and Beaten in

tbelStreet-\$500 to Heal the Wounds. Late on Sunday night one of the cars of the Broadway line, of which John Hardup was conductor, was boarded by a man who was not so drunk as he pretended to be. Before he had been long on the platform the conductor de-manded his fare, at which he struck the conductor in the face, knocking him headlong from the car. Not content with this, he jumped upon the conductor and beat him shockingly. The the conductor and beat him shockingly. The car had reached Thirty-first street when the assault was committed, and a large crowd gathered, but no one interfered until an officer arrived. The assailant was taken to the Thirtieth street police station and locked up. The conductor was taken to his home in the upper part of the city, and at an early hour yesterday morning he was visited by an officer, who told him not to worry as he would pay his physician's bills and all expenses; also, that if he would say nothing about it he should have \$500. At the Thirtieth street police station, vesterday, the assailant's name was given to a SUN reporter as William H. Philbrooke.

reporter.
"I'll not answer that question," replied the officer.
"Will you not give me the report that appears on the face of your blotter?"
"I'll will not," said the officer. "All that there is stated here that I'm going to tell you, is that the defendant is a clerk. If you want to learn any more go to Police Headquarters."
At the Broadway line's depot the reporter was told that \$500 had changed hands, and that the case had been settled; also, that the offender is an officer in the employ of the United States Government.

THE MOON.

THE MODOCS DEFIANT.

They will Die with their Rifles in their Hands-Troops Pursuing Them.

SAN FRANCISCO, May 26.-The reports from Fairchid's say that Capt. Jack is north of the Pitt River country with twenty-five warriors, who say they will die with their rifles in their who say they will die with their rifles in their hands. Gen. Davis has ordered the troops to go in pursuit of the savages.

Gen. Gillem has been ordered to proceed to the headquarters of regiment at Benicia. Col. Wheaton has been reinstated.

It is thought that half a dozen more Modocs were lately near the camp waiting to surrender. The savages who are still free have broken into small bands. The movements of the soldiers will be made accordingly.

into smail bands. The movements of the soldiers will be made accordingly.

Capt. Ben Wright and the Modocs.

To the Editor of the Sm Francisco Chronicle.

Sirs: The Alta of the 5th instant easts a reflection on a correspondent of the Chronicle for certain statements made in reference to Capt. Ben Wright's treatment of the Modocs in 1852. The statement in the Chronicle referred to is substantially correct. I gave its correspondent the items; he wrote the statement. He Laving been attacked for an untruthful report, I have determined to make as close a statement as the nature of the case will admit. Capt. Ben Wright, in the fall of '52, sent to Yreka for strychnine, with which to poison the Modocs, who had been invited to his camp to treat for peace. A portion of the poison was supplied by the house in which I was then a partner. We gave all the strychnine we had. A gentleman now hiving in San Francisco (Capt. William Clarkson) assisted my partner in obtaining an additional quantity, that which we contributed not being deemed sufficient. Swill, the Oregon Indian, did object to this kind of warfare, and his objection frustrated the attempt to poison the Modoc Peace Commission. The Modocs were afterward invited into camp to treat for peace, and Ben Wright and his troops did assault and kill nearly all of them. This information I had from Wright himself, and it was the talk of the men generally belonging to his command on their entrance into Yreka after the close of their compaign. The chitzen feasted and entertained them at the principal hall in the city and commended them for their acts. Wright's troops brought himself, and it was the talk of the men generally belonging to his command on their entrance into Yreka after the close of their compaign. The chitzen feasted and entertained in 1852. General Colton. I am satisfied, is aware of the stoye of the man points in this city, is aware of them; Colonel Charles Drew, late of the State of Nevada, but at present in this city, is aware of them; Colonel Charles Drew, lat

-Ia it Poisoned Ment Again ? For some time a German shoemaker, Herman Boecke, of West Newark avenue, near Grand street, has

with other members of his family been suffering from some disease, the exact character of which the physicians have been unable to determine. Mr. and Mrs. Boecke and two of three children were iii, all showing the same unusual symptoms, which were to some extent those of poisoning, though they were not sufficiently developed to enable the physicians to decide their exact character. On Sunday the wife died, and the doctor gave a burial permit stating the cause of death to have been intermittent fever. The body was, however, swollen and bloated, and those who saw it thought that other causes had been at work. Yesterday the attention of Coroner Reinhardt was called to the case, and he refused to show the howly to be buried until an examination had been made by Dr. Buck, County Physician. An examination is to be made today. In the mean time the rumor has gained ground upon the Heights where the family lived that they had eaten poisoned meat and were suffering from the effects. Yesterday Bocke was thought to be dying. His recovery is impressible. The two children are also very iii, the symptoms being the same as those of the disease with which the mother died. cians have been unable to determine. Mr. and Mrs

THE NEW FRENCH GOVERNMENT.

Ex-President Thiers Takes his Seat in the Assembly-The New Ministry-President MacMahon's Address-Paris Quiet.

PARIS, May 26 .- Ex-President Thiers has nformed the members of the Left Centre that he will resume his seat in the Assembly to morrow, and will take his place on their benches, accompanied by the late Ministers Dufaure, Peller, and Leon Say.

The whole Left has decided upon a policy of

constitutional opposition to the new Govern-

The Orleans princes were in the Assembly when the question was taken on accepting President Thiers's resignation, and voted in the affirmative.

THE NEW MINISTRY.

The New Ministry is announced this morning in the Journal Officiel. It is constituted as follows:

Minister of Foreign Affairs, Duke de Broglie; Minister of Foustice, M. Ernoul; Minister of the Interior, M. Beule; Minister of Finance, M. Pierre Magne; Minister of War, Gen. de Clasey, Minister of Marine, Admiral d'Hornoy; Minister of Public Instruction and Worship, M. Batble; Minister of Public Works, M. Descillippy, Minister of Agriculture and Commerce, M. Boullerie. There has been no disorder in any portion of the country in consequence of the announce-ment of the change in the Government. De-spatches from all sections report that tran-quility prevails. Only half of the troops are now held in their barracks.

duffity prevails. Only half of the troops are now held in their barracks.

A MESSAGE FROM THE NEW PRESIDENT.

President MacMahon sent a message to the Assembly to-day. It was read by the Duke de Broglie. The President says:

I am animated by respect for your wishes and will always scrupulously execute them. The National Assembly had two great tasks—the liberation of territory and the restoration of order. The first was ably conducted by my predecessor with heroic patience. The country and I rely on you to accomplish the other. I shall follow the foreign policy of my predecessor. I wish for peace and the reorganization of the army, desiring only to endorsory of the law of the propagation of the army, desiring only to endorsory only the following the propagation of the same desiring only to end the propagation of the same of the law of the propagation of the propagation of the same of the law defend accepts against factions, and stand as a scattnel to see that your sovereign will is obeyed in its integrity.

The Carpenters Gatu without the Loss of a Single Hour-The Horsesheers and the Railroads still Looking at Each Other.

The reports of the stormy session of carpenters in Republican Hall on Friday evening carried such a notion of violence that no little excitement among builders and employers was

The situation was wholly misunderstood. The resolution passed was intended as a request rather than a command. Every society man was working eight hours and the non-society men were working ten hours.

The entire force of men yesterday went to their work at the usual hour. In the shops where the ten-hour system was in vogue, it was soon made known to the employers that the eight-hour demand was to be made. At Jen-

eight-hour demand was to be made. At Jennings & Brown's, Eighteenth street, the men quit at 5 o'clock, and were informed soon afterward that they should return this morning at 8, and work their own time.

Mr. Riker at Twenty-third street and Third avenue, who employs over two hundred men, complied with the request. Johnson & O'Brien, Sixth street, ordered their men to return this morning on the eight-hour plain. Murphys on Forty-fourth street also comply. About three hundred men, and all non-society men, gained the eight-hour demand. Only two or three employers hold out for ten hours a day.

THE HORSESHOERS' STRIKE. THE HORSESHOERS' STRIKE.

THE HORSESHOERS' STRIKE.

Severel of the railroad companies' superintendents say that they will take every car off their lines sooner than accede to the demands of the horseshoers. The workmen meet daily, and seem content to remain on strike. The funds were yesterday considerably increased by money from the central organizations of Massachusetts and Pennsylvania. About \$2,000 is in the treasury. The expenses of the horseshoers' society of this city amount to \$1,000 a week during the strike.

THE CLOTHING CLERKS' STRIKE.

The retail clothing clerks of this city met last evening in the Cooper Institute to perfect arrangements for their strike. The majority are working until 9 o'clock in the evening, and they demand that the stores hereafter be closed at 7 o'clock, Saturday evenings excepted. D. L. Cornell was chosen permanent President of the association.

An address was authorized by the meeting to

Kelly, indicted for participating in the Pattenburg riots, was resumed in the Hunterdon Over

had rested, and counsel occupied the whole of to-day in their arguments. Prosecutor Chamberlin opened for the defence. He was followed by John N. Voorhees who addressed the jury mainly upon the failure of the State to prove that the prisoner joined the rioters with intent to do harm, and main-

tained that he was with the rioters to persuade them to return. The Hon. John T. Bird occupied two hours in his argument.

Geo. A. Allen closed for the State. He dwelt at length upon the evidence and maintained that the prisoner was proved in the crowd both

that the prisoner was proved in the crowd both going and returning, and the fact of his asking two persons to loan him frearms clearly proved his intent in joining the crowd.

Chief Justice Beasley then charged the jury. He said: The rule of law is simple and casily applied to this case. Riot is the assembling together of three or more persons to carry out a scheme with force. A man who joins a riotous body to countenance it and lend it aid, even by his presence, is guilty. And presence unexton of fact for the jury to decide.

The jury returned after an absence of one hour with a verdict of not guilty.

The prosecutor said he should not move the indictments against the remaining prisoners on account of the absence of Aaron Van Sickel, who was their main withers and still unable to attend.

Mr. Bird said the prisoners had already been

who was their main witness and still unable to attend.

Mr. Bird said the prisoners had already been confined a long time, and their trial had been deterred twice on account of the absence of this old man, and, from present appearances, he would never be able to attend.

The Chief Justice said inasmuch as the prosecutor refuses to move the indictments, it is not in the power of the Court to compel him to do so, hence the trial of the remaining prisoners will have to lie over until the September term; but if the prisoners were brought before him upon habeas corpus he would probably admit them to bail.

One of the tickets offered for the suffrages of he 2,373 members of the Produce Exchange is the

For President—Isaac H. Reed.
Vice President—Col. I. H. Reed.
Secretary - Col. Reed.
Treasurer—I. H. Reed. Esq.
Board of Managers—Col. Reed, Isaac H. Reed. Mr.
Reed, Isaac H. Reed, Esq., I. H. Reed, Col. I. H. Reed,
Mr. Isaac H. Reed, I. Henry Reed, Col. I. Henry Reed,
Isaac Henry Reed, Esq.

Excitement at a Westchester Funeral. While a funeral was passing through West Farms on Saturday the occupants of several of the carriages stopped to take a drink. The hearse driver join ed the band, and his horses becoming frightened, dashed off at a terrifying speed, while the coffin containing the corpse bounced from one side of the whice to the other. After the horses had run about a quarter of a mile a pedsarrian arrested them, but one of the animals becoming entangled in the harness, he backed the hearse down a small embankment off the sidewalk. The corpse was badly jostled.

Twining the Laurel Wrenth. On Assemblyman Crary's return from the Legislature, the citizens of the Twenty first Assembly Legislature, the citizens of the Twenty first Assembly District are going to serenade him at his house in Ninety-sixth street. Resolutions have been drafted for the occasion, and ex-dudge Thompson has been appointed to present them and a digress the legislator behalf of his constituents. Fireworks the legislator lights have been provided. It is not yet decided whether it is Saturday or Monday night that is to be distinguished by this tribute to virtue.

Counsellor W. A. Beach moved in the General Sessions yesterday, that the trial of Wm J. Sharkey for the killing of Robert Dunn, be fixed peremptorily for today. He said the motion was made because he had learned that the Assistant District-Attorneys had deter-mined upon disregarding the fixing of the case made two weeks ago, owing to the absence of Mr. Phelos, their principal. The motion was not definitely acted upon, the Court awaiting the result of a telegram to Mr. Phelos.

ANOTHER BIG BALL GAME.

MANY THOUSANDS OF SPECTATORS WILD WITH DELIGHT.

Wonderful Play on Both Sides-Thirty Mientes Without a Run-Closest Contest of the Season-A Well Earned Victory.

The greatest game of ball this season was played on the Union grounds yesterday by the Atlantics of Brooklyn and the Athletics of Philadelphia. Over five thousand persons filled the seats, and outside the fence were several thousand sand more who were unwilling or unable to pag the price of admission. The players were in the field soon after 3 o'clock, and the pool selling was continued until the game was opened. The Athletics were the favorites, the call being 100

Athletics were the favorites, the call being 100 to 50, 50 to 26, 30 to 16, 30 to 18, and a few pools were taken at 50 to 36. Mr. Carey, of the Battle more Base Ball Club, was mutually agreed upon as umpire, and the Athletics having won the toss, sent the Atlantics to the bat.

FOUR INNINGS WITHOUT A RUN.

At 3:45 Pearce took up the ash and opened the game by striking a hot bounder to McBride, whe captured it and fielded it to Anson. Dickey took a seat. Burdock popped up a high one, which Sutton held. Boyd made a clean base hit and secured his second, when Barlow was caught by Fisher in the right field, retiring the Atlantics for a blank. McGeary went to the ball for the Athletics, but was disposed of at first by Ferguson to Dehlman. McBride tipped the ball and Barlow secured it on the bound. Anson struck hotly for a base, but Pearce was toguick for him, and he was forced to sit down. In the second, third, and fourth innings following, each side played so close a game that ne runs were made.

BEGINNING TO COUNT.

ing, each side played so close a game that ne runs were made.

BEGINNING TO COUNT.

In the fifth innings Remsen struck a hot bounder, but Fisler stopped it splendidly, and cut him off before he could reach first. Pabos was in hard luck, and went out on a foul tip, which Clapp took on the bound. Dehlman these made a fine long hit into left centre field, and ran to second under great applause. Peares struck a high one far into centre field, but Reach held it, leaving Pabor on third, and again closing the inning with a round 0. Fisher struck a hot grounder, but Britt secured it and cut him off affirst. Sutton hit a fine daisy cutter into short right field and took his first. Clapp then took the bat, but struck into the hands of Burdock, who put him out at first, while Sutton secured bis second. Reach hit a splendid shooter interight field, taking his first and bringing Sutton home. Reach stole to second, and was sent to third on a fine hit by McMullen, who took first McMullen stole down to second, and on Barlow's throw to cut McMullen off Reach ran home. McGeary was put out at first by Ferguson to Dehman, closing the inning, Atlantic, 0; Atbleto, 10 of the part of th

GLORIOUS FIELDING.

Dehiman, closing the inning, Atlantic, 0; Atbletics, 2.

GLORIOUS FIELDING.

In the sixth inning neither side added to the score. A splendid double play by Ferguson to Burdock and Burdock to Dehiman, retiring Mo-Bride and Anson, brought down the most tubmiltuous applause from the spectators.

The seventh inning did not increase the Atlantic's score, but Fisher and Clapp each made a run for the Athletics, making them 4 to the Atlantic's O.

The friends of the Atlantics began to feel that there were no hopes for their favorites to win. Dehiman led off with a fine hit for two bases, and Pearce followed with a hot grounder into short right field, by which he secured his first, and sent Dehiman on to third. But Sutton stopped it, and threw the ball to first in season to cut off Burdock. In the meantime Dehiman ran home and Pearce reached third under the wildest cheering and throwing up of hats by the multitude. Boyd secured his first on a fine hit, sending Pearce home, and took second on a clean hit by Barlow, who took first. Britt hit to third and secured his first, but Barlow was run out at second. Boyd came home, Ferguson ended the inning for the Atlantics by a foul tip, which Clapp took, making the score Atlantics 3. Athletics 4.

The Athletics then went to the bat, but did not add to their score.

Remsen opened the ninth Inning at the bat under the wildest applause, with a snarp hit to right centre field. But Fisher stopped the ball, and he was cut off at first. Pabor struck well for a base, but Sutton compelled him to take a seat, Dehlman took first on a splendid hit. But Pearce was disposed of at first before a run could be added, and though the Athletics were put out in the one, two, three order, the victory was theirs by one run, the score being Atlantics, 3. Athletics, 4.

The following is the

ATLANTICS. R.IB.P.O.O. | SCORE | SCOR 3 7 27 27 Total .. INNINGS. ist. 2d. 3d. 4th. 5th. 5th. 7th. 8th. 9th. Atlantics. 0 0 0 0 0 0 0 0 3 0 - 4 Atlantics. 0 0 0 0 0 2 0 2 0 0 - 4 Time of game, 1 hour and 45 minutes.

John McKeon's Tilt with Judge Sutherland-The War upon Capt. Duncan.
The case of John Monaghan, the alleged keeper of an unlicensed sailors boarding house, was on the calendar of the General Sessions for trial yesterday. It has been selected as a test case, and upon its decision and Terminer this morning. When the Court It has been selected as a test case, and upon its decision half a hundred others depend. Counsellor John McKeon, who has been retained by the boarding house keepera, appeared for the prisoner and moved for a continuance of the case on the ground of the absence of material witnesses, supporting his motion by affidavits. Judge Sutherished taxed the counsel with a desire to try the case hefore some other Judge, and intimated that he case hefore some other Judge, and intimated that he case hefore some other Judge, and intimated that he case hefore some other Judge, and intimated that he looked upon that as the real ground of the motion, Mr. McKeon sand he would not deny that he thought his Honor had in some respects prejudged the case, is view of the rulings made by him after aguments upon the motions to quash heretofore made. But he insisted that this motion was made in due form, and entitled him to a continuance for the term, without being compelled to a continuance of the term, McKeon induced in some several incidents of the case of the continuance of the contin adjourned on May 6, both the State and defence

A Yacht Race with an Unexpected End. The race yesterday of the yachts Lulu, Com-modore Prague, Long Island Yacht Club, and the Idle modore Prague, Long Island Yacht Club, and the Idle Hour, Capt. Taylor, off Greenville, N. J., opened the yachting season, and was full of excitement, owing to the closeness of the contest and its unexpected termination. The course was from a stake hoat off Greenville to and around Robbins Reef busy and repeat. The prize was \$60 cm. The Luiu is a new yacht, built by Commodore Frank Bates, Long Island Yacht Club, and the Idle Hour is three years old, with a fine record of races won. At 1:30 P. M. the yachts started with a fine aboutherly breeze, the tide the first of the flood. Throughout the contest was a close one. The Luiu was sailed in a masterly manner by the veteran Joe Morris, and though smaller than her opponent, with a working suit of sails, came in only 3 minutes 8 accords behind the Idle Hour, winning the race by time allowance with 3 seconds to scare. The time allowance was 3 minutes 6 seconds. The judges were ex-Mayor Quotiter and Commodore Hughes of the Oceane Yacht Club.

Populating the Great West. More than 1,000 immigrants landed at Castle Garden yesterday, and the busy scenes of the last two weeks were reenacted. The strangers were Irish, German, and Swedes. Over 900 started for the West as asson as their baggage could be landed and passed. The destination of most of them was the Far West and Northwest, the Swedes invariably choosing the latter 2s an abding place. Most of the immigrants are married, and bring their families with them.

The Kellogg Assassination. NEW ORLEANS, May 26.—Gov. Kellogg's attorney this morning in the First District Court filed an information against M. M. Cohen and C. R. Bailey, jointly charged with a tiempting to murder Mr. Kellogg. The defendants were bailed in \$5,000 cach.

HORSE NOTES.

Daniel Mace drove Judge Fullerton a mile in Mr. J. Harbeck drove his dark sorrel mare Saratoga, a mile in harness, in 2 37. Aleck Paterson drove his spotted gelding Man-lattan, a helf mile in harness, in 1 13. haitan, a haif mhe in harness, in 113.

Daniel Püfer drove American Girl, in harness in her preliminary exercise, a mile in 2.28.

Lige Smith, a well-known California horseman, died at San Francisco on the 3d inst.

Daniel Mace drove Cassius M. Read's sorrel mare Berlin Girl in harness, a half mile in 1:16.

John Lovett drove Dr. Corey's bay mare Nettle Morris to a road wagon, a half mile in 1:14.

Maj. Thomas Morton has sold his team of Hambeltonian marcs to Mr. Charles Carman, for \$3,193.

On Saturday last. Jno. Murphy drove Mr. Bone on Saturday last, Jno. Murphy drove Mr. Bon-ier's famous bay mare Pocanontas to sulky on Fleet-mod Course, a mile in 2:26, and repeated her a mile in

Mr. William McRoberts, the well-known horse-man of this city, has sold his hay two year old coit by Ryedyk's Hambletonian, to Mr. James Ladd, of Frank-fort, N. Y., for \$2,500. The celebrated jockey Gilpatrick, who rode Boston in most of his races, and Lexington in his great four mile time race still continues very sick at Pough-keepsle. During his liness he has lost the use of his left arm and hand.

left arm and hand.

Mr. William H. Vanderbilt yesterday drove his splendid team of bays. Diblens and mate, over the Pleetwood track to a road wagon with top, making the first quarter in 38 sec., the second in 37s, sec., and the last half in 114, the faster time ever made on Picctwood by a goaticman's road team.